

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

WAYDE COLEMAN,)
Plaintiff,)
v.) Case No. 1:11-cv-01256-TWP-DKL
TERRY CURRY Marion County Prosecutor's)
Office, Final Policy Maker, in his official)
capacity, administrative and investigative)
capacity,)
REBECCA MEYER, in her administrative,)
Investigative capacity and not official capacity,)
PAUL R CIESIELSKI, in his official capacity)
as Chief of Police Indianapolis Metropolitan)
Police Department (IMPD),)
DENNY RANDALL JASON, IMPD D9879,)
in his individual and investigative capacity, and)
JUDGE RUEBEN B. HILL Criminal Court)
Rm 18, in his official capacity for injunctive,)
declarative relief and consequential relief that)
the court deems applicable,)
Defendants.)

ENTRY DISCUSSING MOTION TO STRIKE

This matter is before the Court on Defendants' Paul R. Ciesielski, Terry Curry, Rueben B. Hill, Denny Randall Jason, and Rebecca Meyer (collectively, "Defendants") Motion to Strike (Dkt. 73). Although, "[t]he court disfavors collateral motions—such as motions to strike—in the summary judgment process," Local Rule 56-1(i), Defendants' motion to strike has been considered.

The Defendants seek to strike a document containing transcribed portions of Officer Randall Denny's deposition which was taken incident to prior criminal proceedings against the

Plaintiff Wayde Coleman (“Mr. Coleman”). Defendants argue that the transcript should be stricken because it was prepared by the Plaintiff, “Wayde Coleman Pro Se Litigant/A Notary Public” and thus is not competent evidence. See Dkt. No. 70-1 at p. 1. In response, Mr. Coleman has provided the transcript, but this time it has been transcribed by “Reliant.” No reply has been filed by the Defendants. Under these circumstances the Defendants’ Motion to Strike (Dkt. 73) is **DENIED**.

SO ORDERED.

Date: 08/19/2013

Tanya Walton Pratt
Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana

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